

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

DEC 21 2006 WH

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff

v.

PETER G. ROGAN,

Defendant

No. 02 C 3310

Judge Darrah

AFFIDAVIT

Peter G. Rogan states as follows:

1. I am the Defendant herein and make this Affidavit in response to the affidavit of Shari Smith Chizana executed December 12, 2006 ("Chizana Affidavit").
2. Concerning paragraph 3bi of the Chizana Affidavit, I do not hold any publicly traded stocks that generate dividends or interest income in the amount of \$34,000. Any documents that show I own such stocks are outdated. The current information concerning stocks held by me is shown in the information and documents sent to Joseph Stewart of the Office of the United States Attorney by courier on or about December 11, 2006 ("2006 Information").
3. Concerning paragraph 3bii of the Chizana Affidavit, I do not hold accounts in various banking and other financial institutions totaling \$750,000. As shown by the 2006 Information, my accounts in banking and other financial institutions total less than \$15,000.
4. Concerning paragraph 3biv of the Chizana Affidavit, I do not have \$245,000 in qualified retirement plans and annuities. As shown by the 2006 Information, I have approximately \$17,000 in retirement plans that are exempt from creditors claims
5. Concerning paragraph 3bv of the Chizana Affidavit, the statement that I have notes worth \$3,647,000 is based on old financial information. Other than the notes set out in the 2006

Information, I sold any such notes for fair market value to pay attorneys fees and other obligations over the past few years.

6. Concerning paragraph 4. of the Chizana Affidavit, I am a discretionary beneficiary of the Peter G. Rogan Irrevocable Trust established in 1996 ("Irrevocable Trust"). I do not have and have never had any control or underlying financial records regarding the Irrevocable Trust and its income or the assets in the Trust. Even though I have no control over the Irrevocable Trust or its distribution to the beneficiaries, since I was the settlor of the Trust in 1996, the U.S. agent of the Irrevocable Trust provides me with a form reporting the income for US tax purposes. This is the only information I receive concerning the Irrevocable Trust. The forms for 2003, 2004, 2005 have been provided in the 2006 Information. The Chizana Affidavit wherein it states that "he appears to readily have access to the assets of this trust as well as other trusts in the names of his children" is without any factual basis and is totally false.
7. Further concerning paragraph 4. of the Chizana Affidavit, I have never had access to any records of any trust in the names of my children and am unaware of the amounts or investments held in the names of any such trusts, nor have I had any involvement or financial dealings with any trust in the names of my children nor have I ever received any distributions from any such trust.

Pursuant to 28 U.S.C. § 1746, I verify a under the penalty of perjury that the foregoing is true and correct.

Executed this 20 the day of December 2006

AFFIANT:

BY: 
PETER G. ROGAN

CERTIFICATE OF SERVICE

The undersigned hereby certifies the following:

The affidavit of PETER ROGAN in RESPONSE to the United States' motion for Installment Payment Order

was sent by fax and regular first class mail on December 20, 2006 to:

Joseph A. Stewart
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois



Denise E. Taker
c/o Harper Grey LLP
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